Translation 9

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference					
664285	FOR FURTHER ACTION	See Form PCT/IPEA/416			
International application No. PCT/JP2004/000044	International filing date (day/month/year) 07 January 2004 (07.01.2004)	Priority date (day/month/year) 07 January 2003 (07.01.2003)			
International Patent Classification (IPC) or na B29C 39/02, 39/24, C08J 9/30 //	tional closeification 1700	7 January 2003 (07.01.2003)			
Applicant					
SUN	ISTAR GIKEN KABUSHIKI KAIS	SHA			
 This report is the international preliming Authority under Article 35 and transmit 	nary examination report, established by this itted to the applicant according to Article 3	International Preliminary Examining 6.			
2. This REPORT consists of a total of _	5 sheets, including this cover s	heet			
3. This report is also accompanied by AN	INEXES, comprising:				
a. 🔀 (sent to the applicant and to	the International Bureau) a total of 2	sheets, as follows:			
sheets of the descrip	tion claims and/or described	en amended and are the basis of this report rity (see Rule 70.16 and Section 607 of the			
sheets which superson beyond the disclosure Supplemental Box.	ede earlier sheets, but which this Authority in the international application as filed, a	considers contain an amendment that goes s indicated in item 4 of Box No. I and the			
	Bureau only) a total of (indicate type	e and number of it.			
readable form only, as indic Administrative Instructions).	, containing a sequence listing ated in the Supplemental Box Relating to	and/or tables related thereto, in computer Sequence Listing (see Section 802 of the			
4. This report contains indications relating	to the following items:				
Box No. I Basis of the report					
Box No. II Priority					
Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability					
Box No. IV Lack of unity of invention					
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;					
Box No. VI Certain documents					
Box No. VII Certain defects in the international application					
Box No. VIII Certain observation	ns on the international application				
ate of submission of the demand	Date of completion of the	nis report			
14 July 2004 (14.07.2004)		10 May 2005 (10.05.2005)			
ame and mailing address of the IPEA/JP	Authorized officer	(4110.200)			
csimile No.	Telephone No.				

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/000044

		Basis of the report	
1. Wi	-	to the language, this report is based on the international application in the lang	
	This which	report is based on translations from the original language into the following h is language of a translation furnished for the purpose of:	language,
		international search (under Rules 12.3 and 23.1(b))	
		publication of the international application (under Rule 12.4)	
		international preliminary examination (under Rules 55.2 and/or 55.3)	
	d are not a The in	to the elements of the international application, this report is based on (in the receiving Office in response to an invitation under Article 14 are referred annexed to this report): atternational application as originally filed/furnished scription:	replacement sheets which have been I to in this report as "originally filed"
دعا	pages	•	
	pages*	1-17	, as originally filed/furnished
	pages*	received by this Authority on	
∇	the cla		
K	pages		
	pages*	2-4,6	, as originally filed/furnished
	pages*	, as amended (toget	her with any statement) under Article 19
	pages*	received by this Additionty on	
\square		received by this Authority on	
	the drav	wings:	
	pages	1-4	, as originally filed/furnished
	pages* pages*	received by this Authority on	
	pages	received by this Authority on	
	a seque	nce listing and/or any related table(s) - see Supplemental Box Relating to Sequ	ence Listing.
3. 🔲	The am	endments have resulted in the cancellation of:	
	th	ne description, pages	
		ne claims, Nos.	
	=	ne drawings, sheets/figs	
		18 Sequence listing (specific)	
	∺ ∷	ne sequence listing (specify):	
		ny table(s) related to sequence listing (specify):	
l. 🗀	(Rule 70	port has been established as if (some of) the amendments annexed to this reposition they have been considered to go beyond the disclosure as filed, as inco.2(c)). e description, pages	ort and listed below had not been dicated in the Supplemental Box
		s, some or all of those sheets may be marked "superseded."	

International application No.

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Statement			
Novelty (N)	Claims	2, 3	YES
	Claims	1, 4-6	NO
Inventive step (IS)	Claims		YES
	Claims	1-6	NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

ations and explanations (Rule 70.7)

Document 1: JP, 2002-160577, A (Koito Manufacturing Co., Ltd.), 4 June, 2002 (04.06.02), paragraph [0026], Fig. 7

Document 2: EP, 974391, A1 (Sunstar Engineering Inc.), 26 January, 2000 (26.01.00), the claims, column 1, lines 5-14, Fig. 1

Document 3: EP, 757067, A1 (Sunstar Engineering Inc.), 5 February, 1997 (05.02.97), Abstract, claims Document 4: JP, 2-251592, A (Honda Motor Co., Ltd.), 9 October, 1990 (09.10.90), the claims, page 2, lower right column, line 6 to page 3, upper left column, line 12

Document 5: JP, 62-102859, A (Aisin Chemical Co., Ltd.), 13 May, 1987 (13.05.87), the claims, page 2, lower left column, lines 5-19

Document 6: US, 5188963, A (Aisin Chemical Co., Ltd.), 23 February, 1993 (23.02.93), the claims Document 7: JP, 5-309329, A (Sunstar Engineering Inc.), 22 November, 1993 (22.11.93), the claims, paragraph

Document 8: JP, 4-226321, A (Nippon Zeon Co., Ltd.), 17 August, 1992 (17.08.92), the claims, paragraphs [0014] and [0015] (Family: none)

The subject matters of claims 1 and 4-6 do not appear to be novel or to involve an inventive step in view of the invention described in document 1. Document 1 describes that "penguin foam", which is a material used in the examples of the present application, is used as a paste material, that a low-pressure gas is mixed and dispersed into the said paste material by a mechanical means to produce a foaming material, and that the said foaming material is discharged to foam.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully

Claims 1-6 are not adequately supported by the specification.

Claim 1 describes that a one-pack hardening paste material of an apparent viscosity of 50-30000 poises in a low shear rate zones and also of 20-2000 poises in a high shear rate zones are used as a paste material.

On the other hand, the specification discloses examples with polyurethane or silicon resins as a paste material, but does not include any example with other resin materials, and it would have been impossible to practically make the apparent viscosities of every resin in the said two shear rate zones within the abovementioned respective ranges, even in view of the technical common knowledge prevailing at the time of filing of the present application. Accordingly, it is not considered that the entire scope of the above-mentioned claims

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient. Continuation of: \boldsymbol{V}

The subject matters of claims 1 and 4 do not appear to involve an inventive step in view of the inventions described in documents 2-8. Document 2 describes a method for manufacturing a sealing material wherein a low-pressure gas is mixed and dispersed into a paste material by a mechanical means, and the obtained material is discharged to foam. Document 3 describes a material for a sealing material similar to those in the examples of the present application. In addition, as described in documents 4-8, it is a well-known technology in the technical field concerned to consider the viscosities in low and high shear rate zone of a material for a sealing material when selecting such material. It is considered to be obvious for a person skilled in the art to consider the technical matters described in documents 3-8 when selecting such materials as described in document 2.

The subject matters of claims 2 and 3 do not appear to involve an inventive step in view of the inventions described in documents 1-8. Document 2 describes the methods and apparatuses specified in claims 2 and 3.

The subject matters of claims 5 and 6 do not appear to be novel or to involve an inventive step in view of the invention described in document 3. Document 3 describes a material for a sealing material similar to those in the examples of the present application, and the former is not considered to be different in any way from the latter as an invention of one-pack hardening material.